

INVOICE

Alex Mas
The Nature Conservancy
14 Main Street, Suite 401
Brunswick ME 04011

E-mail: amas@tnc.org

Invoice # 30

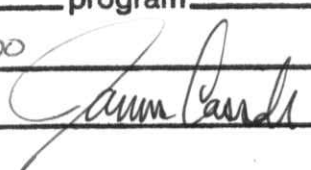
Date: October 27, 2009

Bill To:

Environmental Protection
BLWQ
17 State House Station
Augusta ME 04333-0017

Vendor Code:

VC1000067626

	Description
	In Lieu Fee for Wetland Compensation \$272,895.00
	DEP Number:
	Check number 3504
	University of New England NAE-2009-01365
	APPROVED FOR PAYMENT
vc	<u>1000067626</u> docid # <u> </u>
frnd	<u>014</u> dept <u>06A</u> unit <u>1776</u> subunit <u>14</u>
objt	<u>6401</u> subobjt <u> </u> revsre <u> </u>
activ	<u> </u> subactiv <u> </u> program <u> </u>
amount \$	<u>272,895.00</u>
AUTHORIZED SIGNATURE	<u></u>
Total	\$272,895.00

IN-LIEU-FEE (ILF) PROJECT DATA WORKSHEET

DEP Invoice # 30

[Note: Will be filled in by ILF Administrator in Augusta]

Project name: University of New England

Applicant (s): University of New England

DEP/Corps permit #: NAE-2009-01365

[Note: Please attach a PDF copy of the permit]

DEP ATS #: _____

ILF Contribution Amount \$272,895.00

[Note: Please attach a PDF copy of the check]

Project address: 11 Hills Beach Road Biddeford, Maine

[Note; Please attach a PDF map of project location]

Biophysical region: Gulf of Maine Coastal Lowland Subsection

Size of total impact subject to compensation: 1.91 acres

Resources Impacted: forested wetland

Project manager: Rod Howe

Note: The ILF Project Data Worksheet must be filled out by the PM within 3 days of receiving a contribution to the "Natural Resource Mitigation Fund" and faxed along with a copy of the check to James Cassida in Augusta at 287-7826. The distribution of ILF contributions is time sensitive.

The PM should also double check to make sure that the check has been routed to Augusta with the correct account number reference. The account # for the ILF program is 014.06A.1776.14

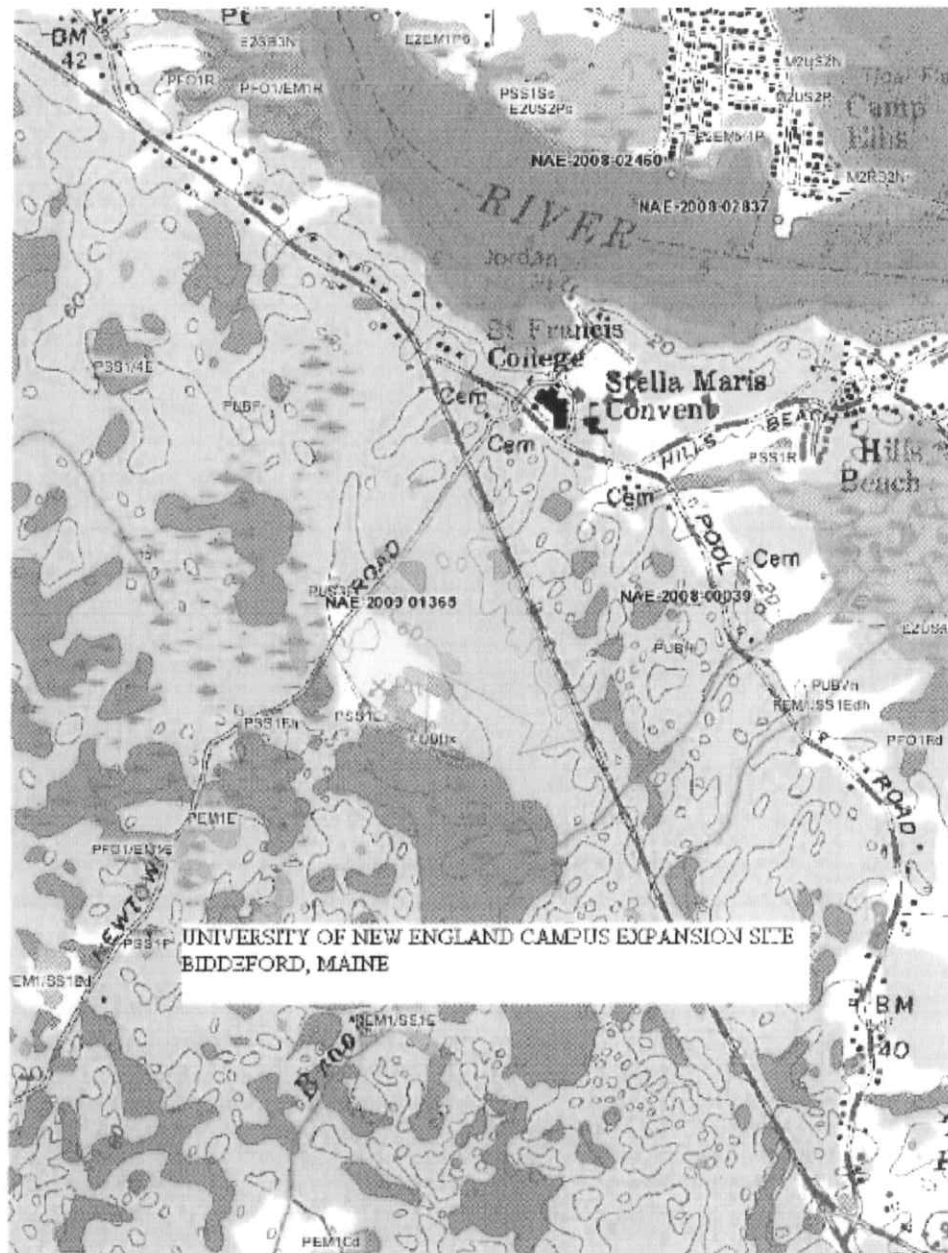
Resource(s) Impacted:

Resource Type: (Wetlands by NWI Type (PFO, PSS, M1, M2, E1, E2, etc), significant vernal pool (SVP), shorebird feeding & staging habitat (Shorebird), inland waterfowl & wading bird habitat (IWWH), tidal waterfowl & wading habitat (TWWH), and river, stream, or brook (RSB).

Wetland Functions & Values: Groundwater recharge/discharge (GWR); floodflow alterations (FF); fish & shellfish habitat (FSH); sediment toxicant retention (STR); nutrient removal (NR); production export (PE); sediment/shoreline stabilization (SS); wildlife habitat (WH); recreation (R); education/scientific value (ESV); uniqueness/heritage (UH); and visual quality/aesthetics (VQ).

Types of impacts: may include filling, dredging, vegetation conversion (e.g. forested to shrub/scrub), others.

Resource type (list all that apply)	Functions (for wetland impacts) (list all that apply, by resource type)	Type of Impact (by resource type)	Sq Feet Impacted (by resource type)
PFO	GWR,FF,WH,ESV	FILL	83,199 SF
Total square feet impacted			83, 199



DEPARTMENT OF THE ARMY PERMIT

Permittee University of New England c/o Alan Thibeault, 11 Hills Beach Road, Biddeford, Maine 04005

Permit No. NAE-2009-01365

Issuing Office New England District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description:

The work includes the discharge of fill material in approximately 9.56 acres of forested freshwater wetlands southerly of the intersection of Pool Road (Route 9) and Newtown Road at Biddeford, Maine in conjunction with the construction of a campus expansion on an undeveloped, 63.24 acre parcel at the University of New England. The campus expansion includes a 1,200 bed residence hall complex consisting of four four-story buildings, each with a footprint of approximately 25,000 square feet; an approximately 126,000 square foot field house; three outdoor athletic fields; 600+/- parking spaces; and installation of associated infrastructure.

The work is shown on the attached plans entitled UNIVERSITY OF NEW ENGLAND, CAMPUS EXPANSION 11 HILLS BEACH ROAD, BIDDEFORD, MAINE," on 9 Sheets, and dated "FEB-08 and FEB-09"

Project Location:

The project is located southerly of the intersection of Route 9 and Newtown Road at Biddeford, Maine

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on December 31, 2014. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. The permittee shall ensure that a copy of this permit is at the work site whenever work is being performed and that all personnel performing work at the site of the work authorized by this permit are fully aware of the terms and conditions of the permit. This permit, including its drawings and any appendices and other attachments, shall be made a part of any and all contracts and sub-contracts for work which affects areas of Corps of Engineers jurisdiction at the site of the work authorized by this permit. This shall be done by including the entire permit in the specifications for work.

(Special Conditions continued on Page 4)

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

() Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

() Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1415).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

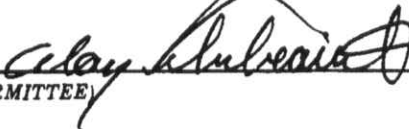
d. Design or construction deficiencies associated with the permitted work.

- e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
- a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

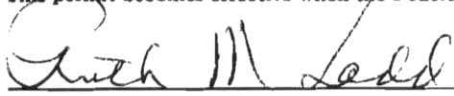
Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

 10/7/09
(PERMITTEE) (DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

 October 7, 2009
(DISTRICT ENGINEER) (DATE)

Philip T. Feir
Colonel, Corps of Engineers

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFeree) (DATE)

(Special Conditions continued from Page 2)

2. If the permit is issued after the construction specifications but before receipt of bids or quotes, the entire permit shall be included as an addendum to the specifications. If the permit is issued after receipt of bids or quotes, the entire permit shall be included in the contract or sub-contract as a change order. The term "entire permit" includes permit amendments. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions of the entire permit, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps jurisdiction.

3. The permittee shall complete and return the enclosed Compliance Certification Form within one month following the completion of the authorized work.

4. Adequate sedimentation and erosion control devices, such as geotextile silt fences or other devices capable of filtering the fines involved, shall be installed and properly maintained to minimize impacts during construction. These devices must be removed upon completion of work and stabilization of disturbed areas. The sediment collected by these devices must also be removed and placed upland, in a manner that will prevent its later erosion and transport to a waterway or wetland.

5. Your responsibility to complete the required compensatory mitigation as set forth in Special Condition 6 below will not be considered fulfilled until you have demonstrated mitigation success and have received written verification from the Corps of Engineers. The term "mitigation success" means success as defined in the mitigation plan this permit requires you to implement. Demonstration of success under this permit shall consist of verification of the payment of an ILF (see Special Condition 6.a) and preservation, road relocation, stream crossings, signage, and gates (see Special Condition 6.b) as well as required mitigation monitoring, corrective measures, submittal of mitigation monitoring reports, and a final wetland assessment.

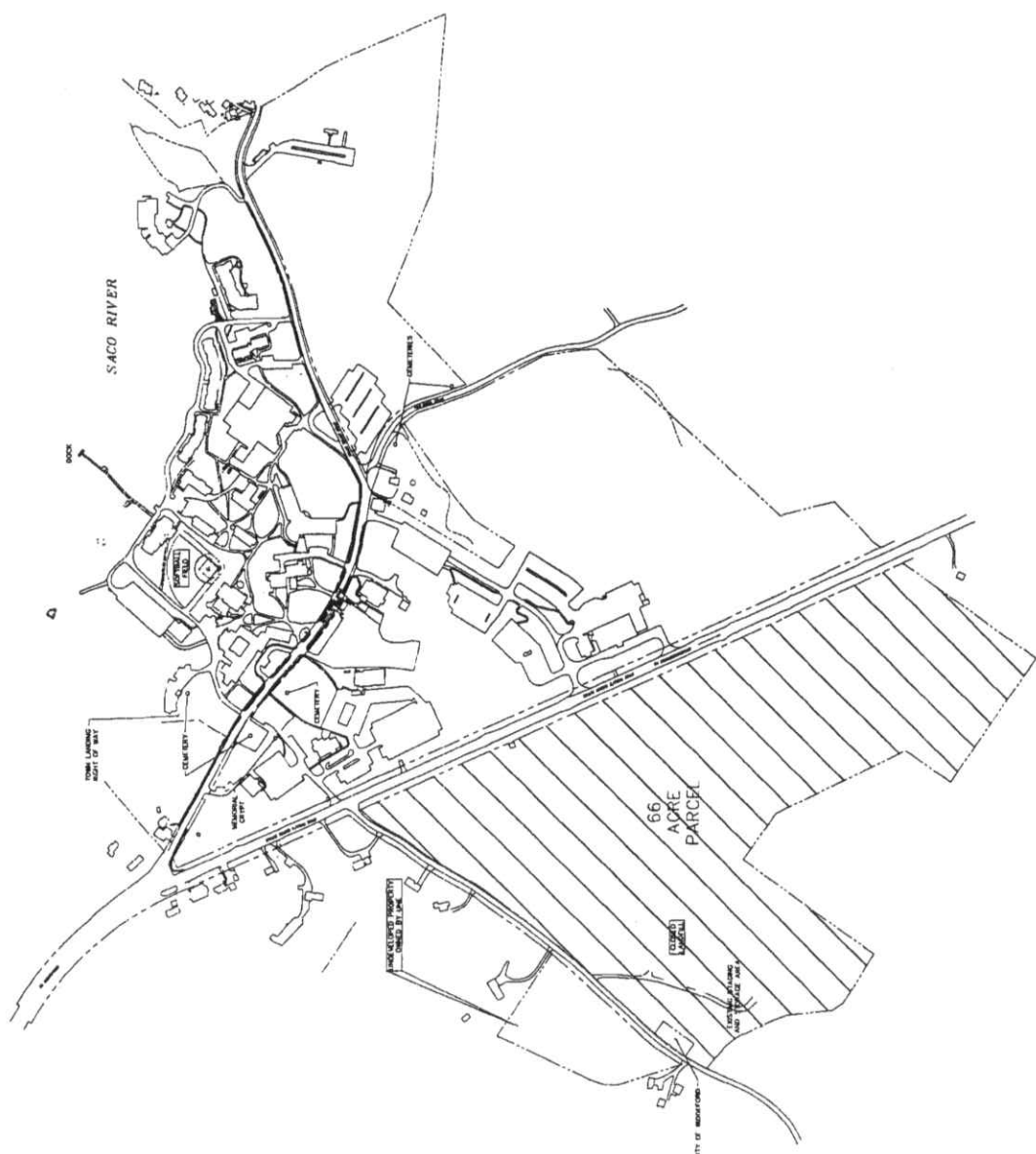
6. Mitigation shall consist of two parts:

a. Payment of \$ 272,895.00, to the Natural Resource Mitigation Fund. The Corps will provide a completed ILF Project Data Worksheet which must be mailed with a cashiers check or bank draft, made out to "Treasurer, State of Maine", with the permit number noted on the check. The check and worksheet should be mailed to: ME DEP, Attn: ILF Program Administrator, State House Station 17, Augusta, ME 04333. **This authorization is not valid until** the permittee provides the Corps with a copy of the check, with the permit number noted on the check. The ILF amount is only valid for a period of one year from the date on the authorization letter. After that time, the project would need to be reevaluated and a new amount determined.

(Special Conditions continued from Page 4)

b. Performance of mitigation activities in accordance with the attached mitigation plan entitled, "Wetland Compensation Plan for University of New England Campus Expansion Biddeford, Maine" dated April 2009, revised September 2009". This portion of the compensation consists of: preservation of 161 acre parcel that is part of a larger, 364-acre parcel of land owned by UNE off Pool Road at Biddeford, Maine; enhancement to 0.2 acres of degraded wetland/vernal pool area by relocating an existing logging road/walking trail out of the wetland to upland areas; construction of bridged crossings of two streams that have been historically used as a ford by ATVs; and the placement of signs designating the area as an environmental mitigation area prohibiting motorized vehicles; and the placement of gates and/or barricades at points of entry around the perimeter of the preservation site.

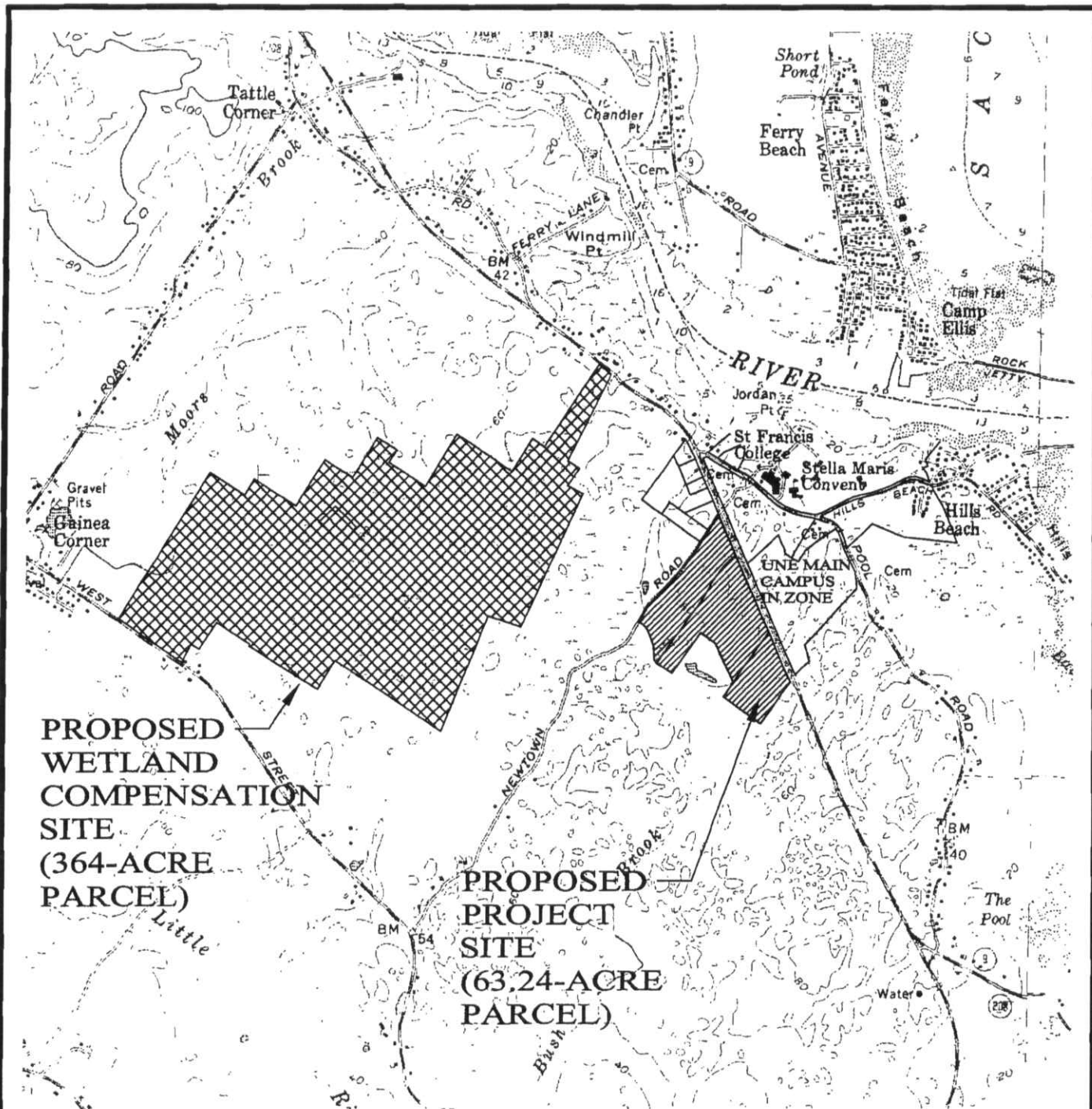
7. The permittee shall execute and record a conservation easement with the registry of deeds for the City of Biddeford and the State of Maine as described in the attached Memorandum of Understanding between the University of New England and the Saco Valley Land Trust dated 14, September, 2009, within 90 days of the date of this permit issuance. **Before recording these documents a draft copy of the conservation easement must be sent to the Corps of Engineers for approval, in writing.** Upon receipt of the approved document, the permittee shall then execute and record it with the registry of deeds having jurisdiction over the locales where the site or sites are located. A copy of the executed and recorded document must be sent to this office within 30 days of the date it was recorded. The conservation easement or deed restriction shall enable the site or sites to be protected in perpetuity from any future development. The conservation easement or deed restriction shall expressly allow for the creation, restoration, remediation and monitoring activities required by this permit on the site or sites. It shall prohibit all other filling, clearing, and other disturbances (including vehicle access) on these sites except for activities explicitly authorized by the Corps of Engineers in these approved documents.



UNIVERSITY OF NEW ENGLAND
 11 MILL BEACH ROAD, NEW ENGLAND, MA 01863
 TEL: 603/886-1111 FAX: 603/886-1112
 WWW.UNENGLAND.EDU



SYTDesign CONSULTANTS 11 MILL BEACH ROAD, NEW ENGLAND, MA 01863 TEL: 603/886-1111 FAX: 603/886-1112 WWW.SYTDDESIGN.COM		66 ACRE PARCEL ROUTE 1, NEW ENGLAND, MA 01863 VISION PLAN 03-216 01 1/4"	
DESIGN: SYTD CHECKED: SYTD DATE: FEB 2006 SCALE: 1" = 200'	11 MILL BEACH ROAD, NEW ENGLAND, MA 01863 TEL: 603/886-1111 FAX: 603/886-1112 WWW.SYTDDESIGN.COM	11 MILL BEACH ROAD, NEW ENGLAND, MA 01863 TEL: 603/886-1111 FAX: 603/886-1112 WWW.SYTDDESIGN.COM	11 MILL BEACH ROAD, NEW ENGLAND, MA 01863 TEL: 603/886-1111 FAX: 603/886-1112 WWW.SYTDDESIGN.COM



THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM SYTDesign CONSULTANTS, ANY ALTERATIONS, OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SYTDesign CONSULTANTS.

SYTDesign
CONSULTANTS

CIVIL ENGINEERING & LANDSCAPE ARCHITECTURE

P.O. Box 86A

160 Longwoods Road

Cumberland, Maine 04021

tel 207 829 6994 fax 207 829 2231

DESIGN TWS
DRAWN AEB
CHKD TWS

PROPOSED CAMPUS EXPANSION
POOL ROAD, BIDDEFORD, ME

SITE LOCATION MAP

UNIVERSITY OF NEW ENGLAND
11 HILLS BEACH ROAD, BIDDEFORD, ME

DATE FEB 2008

SCALE 1" = 2000'

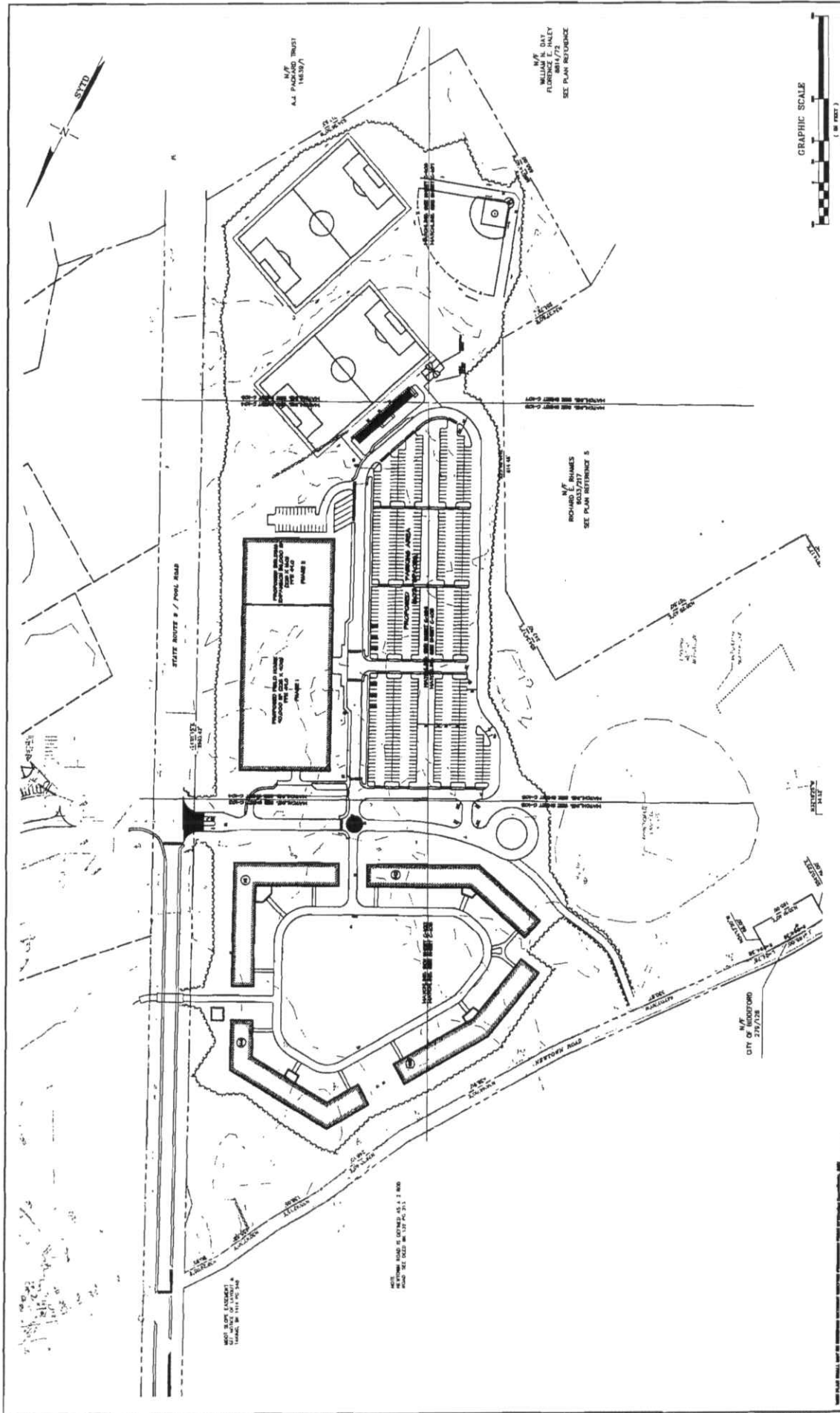
PROJ. NO.

DWG. NO.

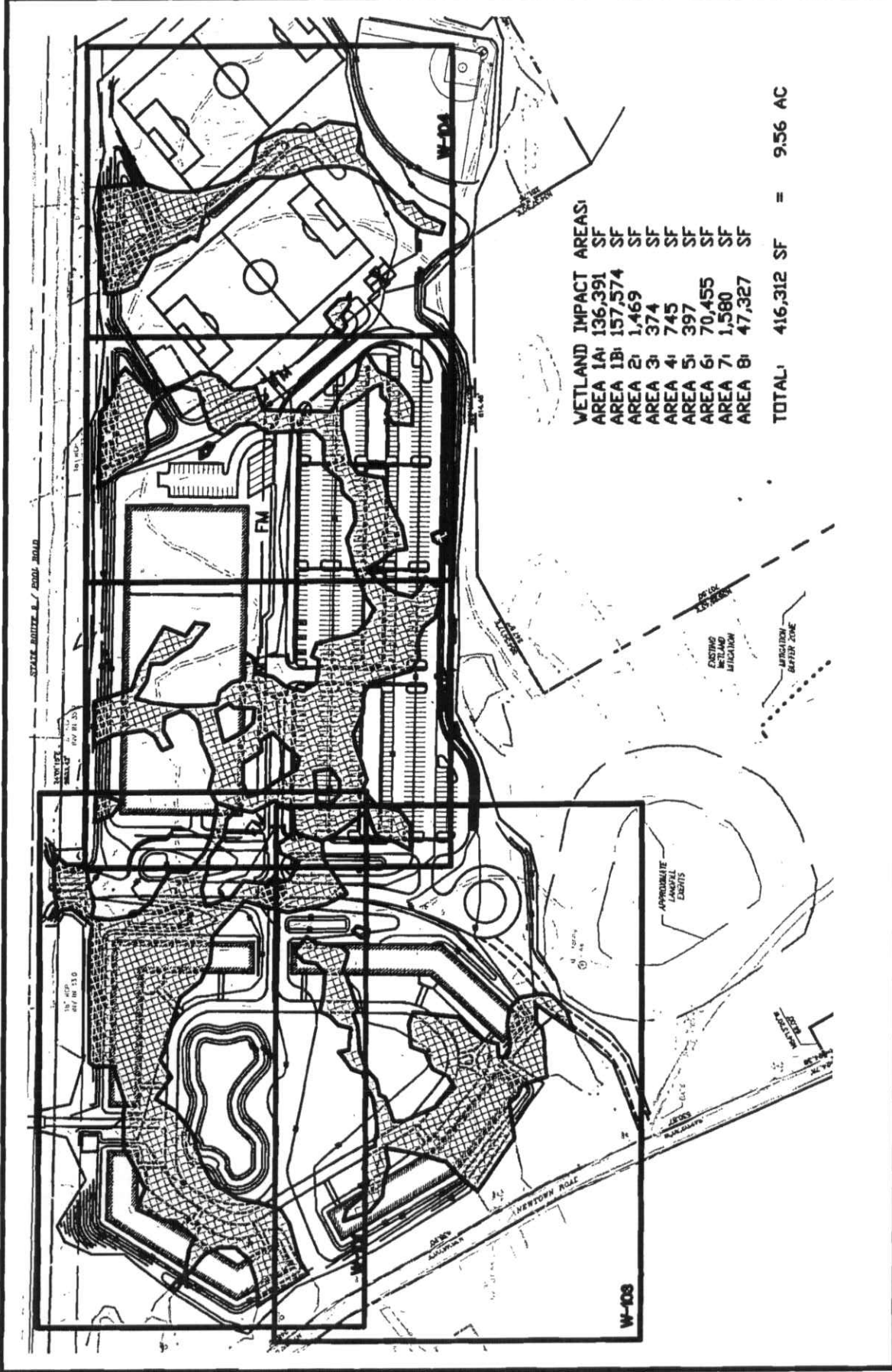
08-21612

FIGURE 1

REV.

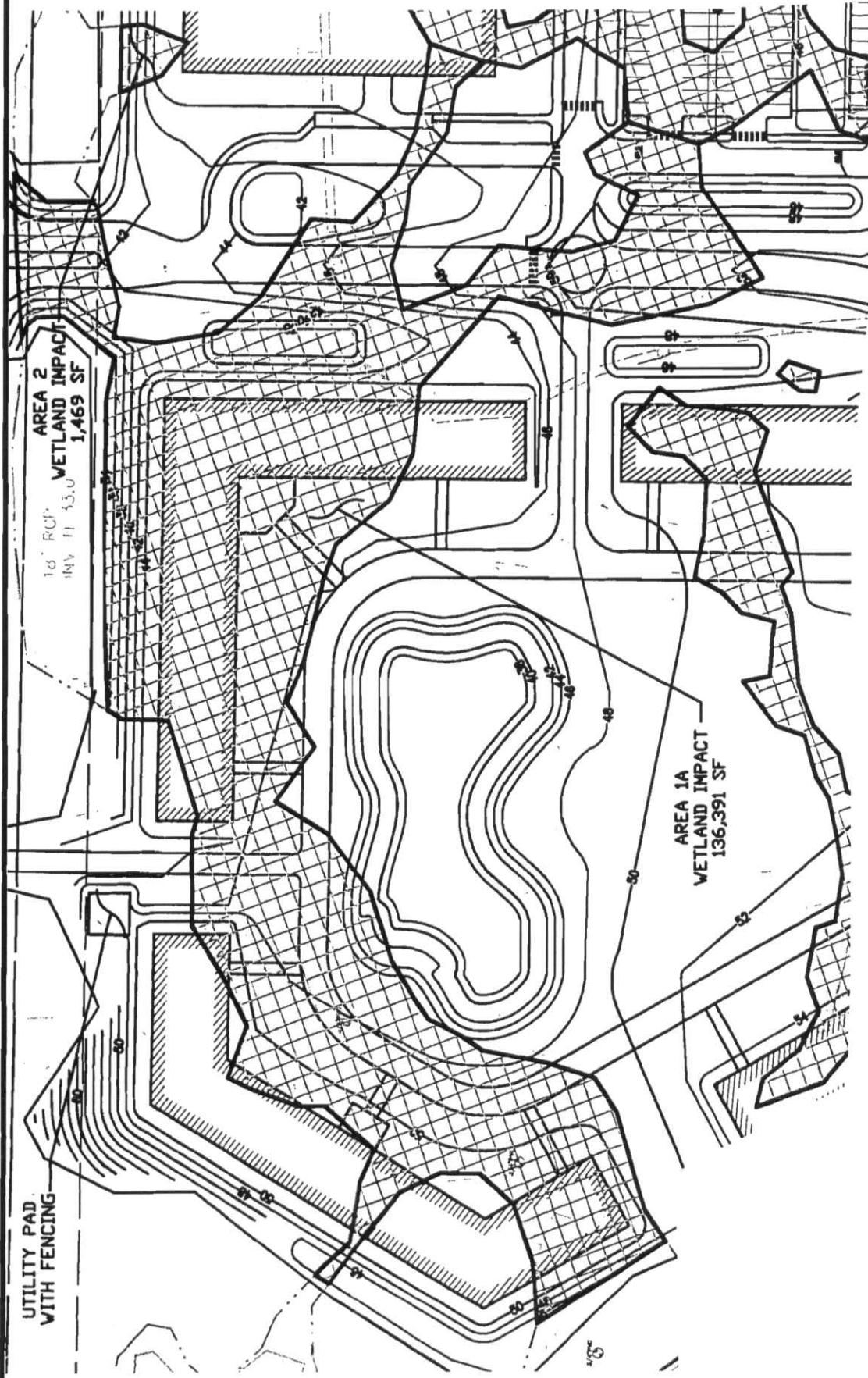


SYTD Design CONSULTANTS 11 WELLS BEACH ROAD BOXTFORD MAINE 04003 TEL: 603.883.1111 FAX: 603.883.1112 WWW.SYTDDESIGN.COM		UNIVERSITY OF NEW ENGLAND 11 WELLS BEACH ROAD BOXTFORD MAINE 04003		PROJECT CAMPUS EXPANSION PROJECT ROUTE 8, BOXTFORD, MAINE	
CLIENT		DESIGN DEPT		DATE	
UNIVERSITY OF NEW ENGLAND		CIVIL		FEBRUARY 2009	
BY		CHKD		SCALE	
J. J. JONES		TWS		1"=100'	
DATE		PROJ		REV	
FEBRUARY 2009		NO.		C-101	
NO. 1		NO. 2		NO. 3	
NO. 4		NO. 5		NO. 6	
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NO. 217		NO. 218		NO. 219	
NO. 220		NO. 221		NO. 222	



WETLAND IMPACT AREAS:	
AREA 1A	136,391 SF
AREA 1B	157,574 SF
AREA 2	1,469 SF
AREA 3	374 SF
AREA 4	745 SF
AREA 5	397 SF
AREA 6	70,455 SF
AREA 7	1,580 SF
AREA 8	47,327 SF
TOTAL	416,312 SF = 9.56 AC

SYTDDesign CONSULTANTS CIVIL ENGINEERING & LANDSCAPE ARCHITECTURE		P.O. Box 88A 160 Longwoods Road Cumberland, Maine 04021 (tel) 207 829 6894 fax 207 829 2231	DESIGN DRAWN CHKD	AEB SWC AEB	66 ACRE PARCEL OLD POOL ROAD, BIDDEFORD, ME WETLAND IMPACT PLAN KEY MAP	
UNIVERSITY OF NEW ENGLAND 11 HILLS BEACH ROAD, BIDDEFORD, ME 04005			DATE SCALE	FEB-09 1" = 250'	PROJ. NO. DWG. NO.	REV. 08-21612 SK-100

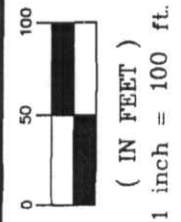


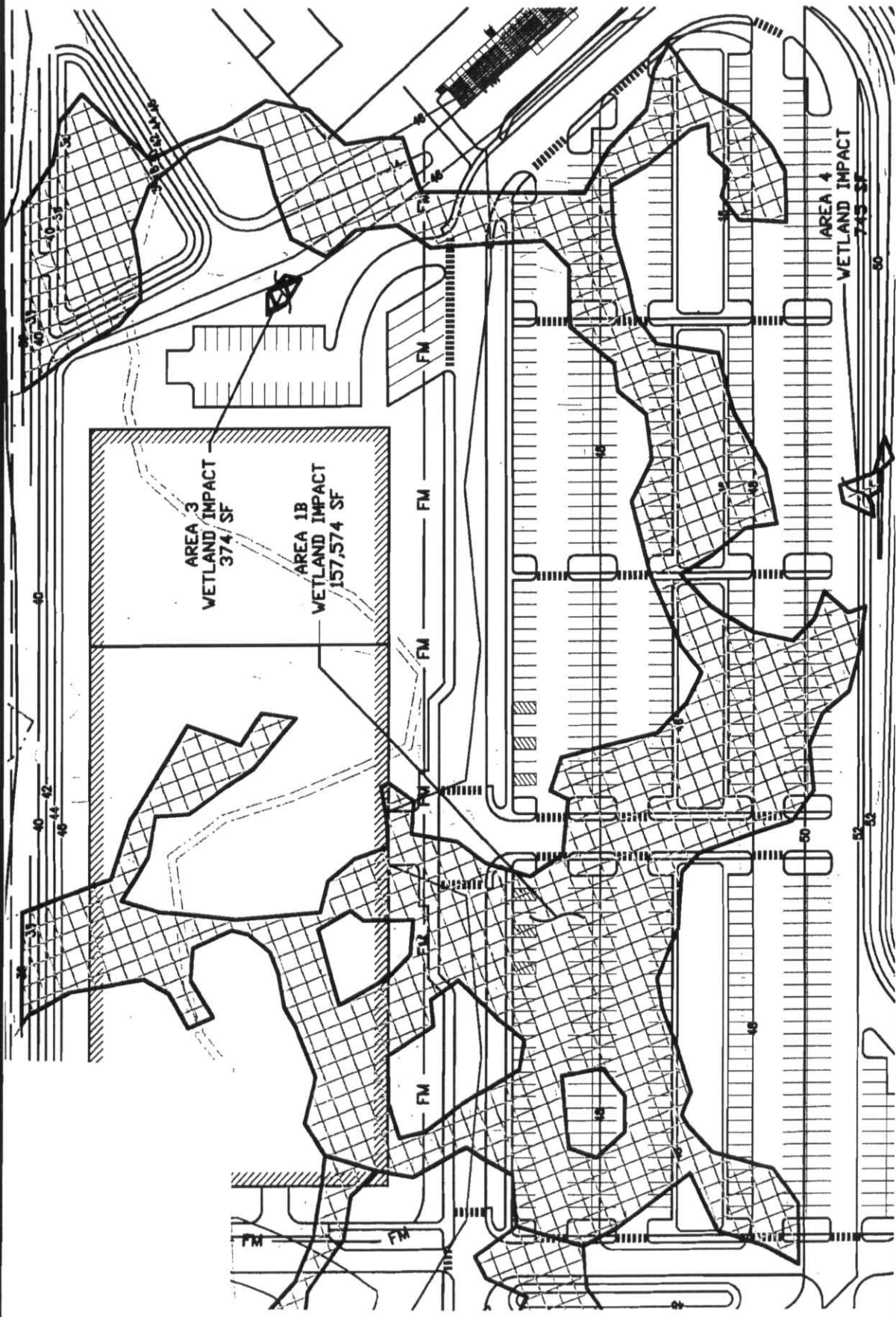
16' RCP
WETLAND IMPACT
1,469 SF

AREA 1A
WETLAND IMPACT
136,391 SF

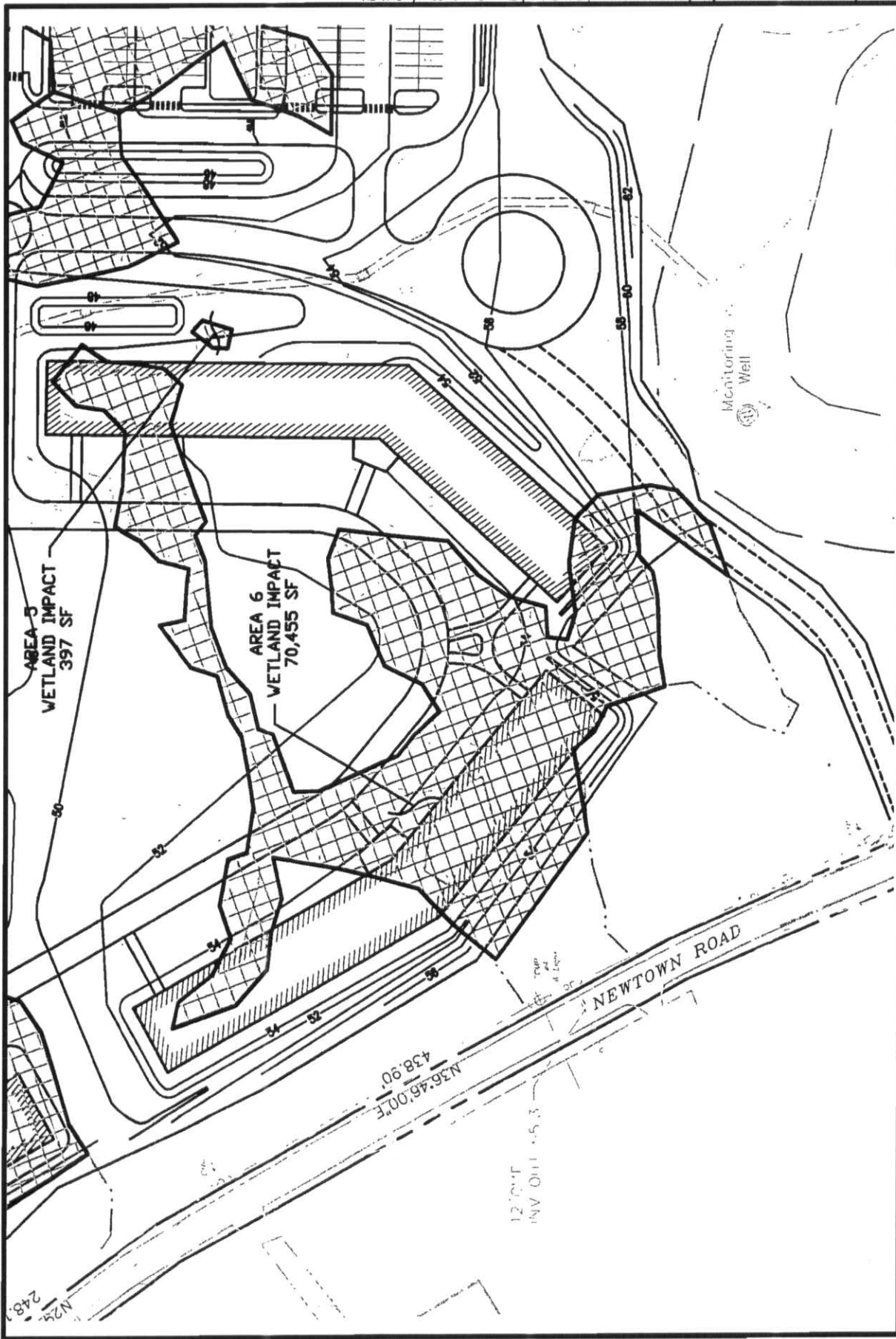
UTILITY PAD
WITH FENCING

SYTD Design CONSULTANTS <small>CIVIL ENGINEERING & LANDSCAPE ARCHITECTURE</small>		P.O. Box 86A 160 Longwoods Road Cumberland, Maine 04021 tel. 207 829 6994 fax 207 829 2231	DESIGN: AEB DRAWN: SWC CHKD: AEB	66 ACRE PARCEL OLD POOL ROAD, BIDDEFORD, ME WETLAND IMPACT PLAN
UNIVERSITY OF NEW ENGLAND 11 HILLS BEACH ROAD, BIDDEFORD, ME 04005		DATE: FEB-09 SCALE: 1"=100'	PROJ. NO. DWG. NO.	REV. 08-21612 SK-101

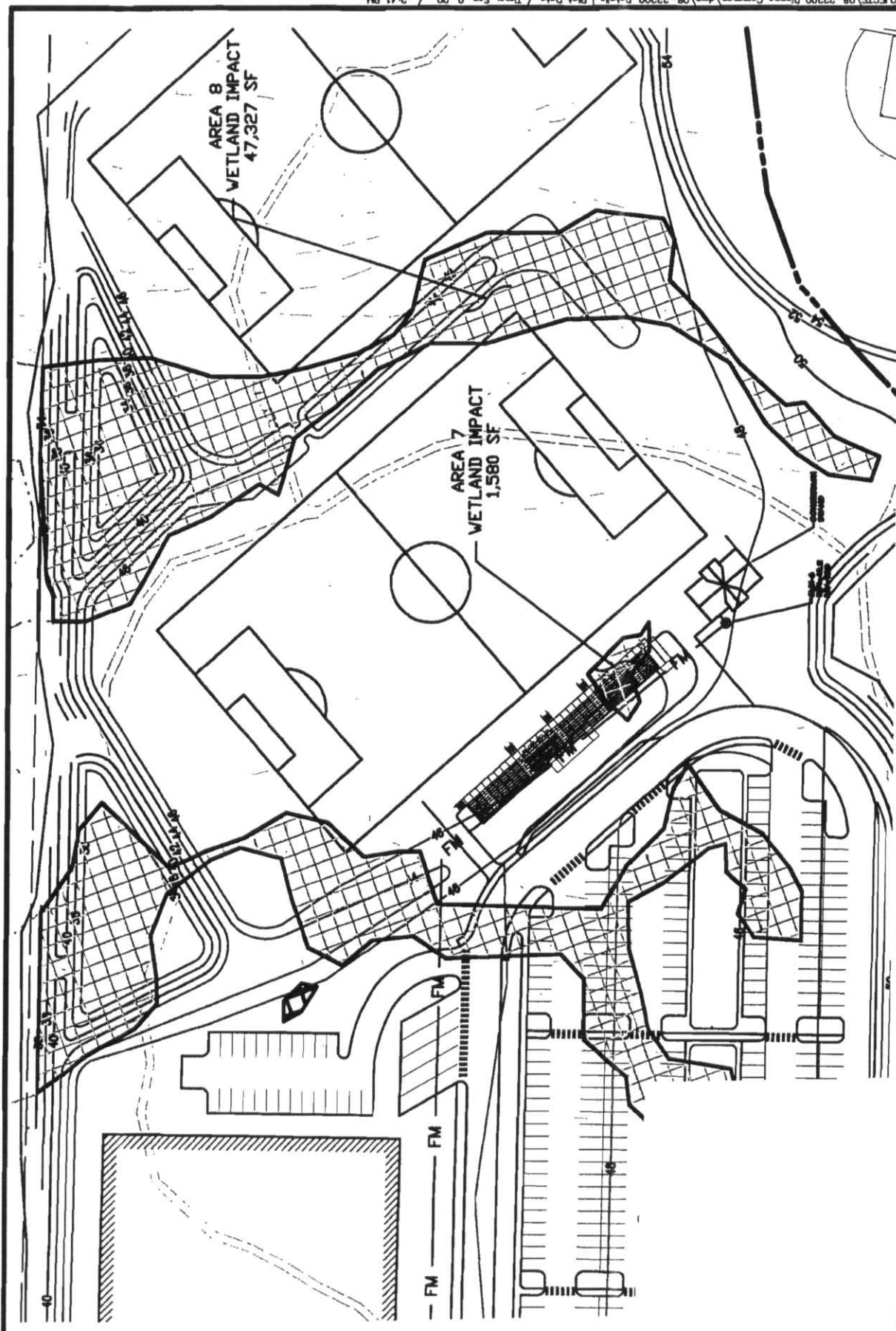




SYTDesign CONSULTANTS CIVIL ENGINEERING & LANDSCAPE ARCHITECTURE P.O. Box 86A 160 Longwoods Road Cumberland, Maine 04021 tel 207 829 6994 fax 207 829 2231		66 ACRE PARCEL OLD POOL ROAD, BIDEFORD, ME WETLAND IMPACT PLAN	
DESIGN	AEB	PROJ. NO.	08-21612
DRAWN	SWC	DWG. NO.	SK-102
CHKD	AEB	DATE	FEB-09
SCALE	1"=100'	REV.	
UNIVERSITY OF NEW ENGLAND 11 HILLS BEACH ROAD, BIDEFORD, ME 04005			



SYTD design CONSULTANTS <small>CIVIL ENGINEERING & LANDSCAPE ARCHITECTURE</small>		P.O. Box 86A 160 Longwoods Road Cumberland, Maine 04021 Tel 207 829 6994 Fax 207 829 2231		66 ACRE PARCEL OLD POOL ROAD, BIDDEFORD, ME WETLAND IMPACT PLAN	
UNIVERSITY OF NEW ENGLAND 11 HILLS BEACH ROAD, BIDDEFORD, ME 04005		DESIGN AEB SWC AEB		PROJ. NO. 08-21612 DWG. NO. SK-103	
DATE FEB-09		SCALE 1"=100'		REV.	



SYTDesign
CONSULTANTS

CIVIL ENGINEERING & LANDSCAPE ARCHITECTURE

UNIVERSITY OF NEW ENGLAND
11 HILLS BEACH ROAD, BIDDEFORD, ME 04005

P.O. Box 86A
160 Longwoods Road
Cumberland, Maine 04021
Tel 207 829 6894 Fax 207 829 2231

66 ACRE PARCEL
OLD POOL ROAD, BIDDEFORD, ME

WETLAND IMPACT
PLAN

DESIGN AEB
DRAW SWC
CHKD AEB
DATE FEB-09
SCALE 1"=100'

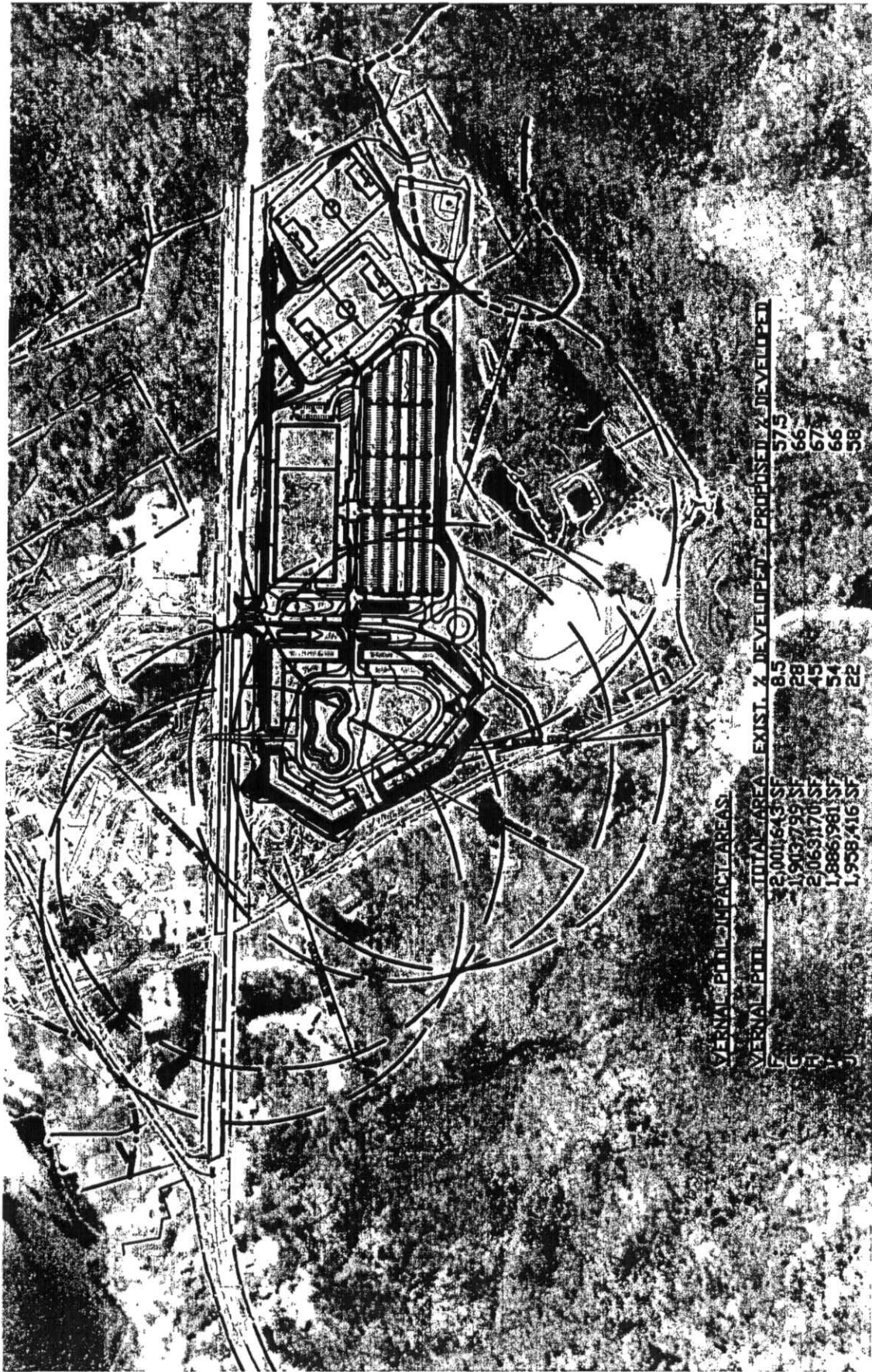
PROJ. NO. 08-21612
DWG. NO. SK-104

REV.

0 50 100
(IN FEET)
1 inch = 100 ft.

— FM — FM

0 50 100
(IN FEET)
1 inch = 100 ft.



VERNAL POOL IMPACT AREAS

VERNAL POOL	TOTAL AREA	EXIST. & DEVELOPED	PROPOSED & DEVELOPED
8.5	28	57.5	
1,958/416 SF	1,903,799 SF	66	
1,886/1981 SF	2,063,170 SF	67	
1,958/416 SF	1,886/1981 SF	66	
1,958/416 SF	1,886/1981 SF	58	



(IN FEET)
1 inch = 500 ft.

SYTD
Design
CONSULTANTS

CIVIL ENGINEERING & LANDSCAPE ARCHITECTURE

UNIVERSITY OF NEW ENGLAND
11 HILLS BEACH ROAD, BIDEFORD, ME 04005

P.O. Box 86A
180 Longwoods Road
Cumberland, Maine 04021
Tel. 207.829.6994 fax. 207.829.2231

DESIGN TWS

DRAIN DEPT

CHRD TWS

DATE FEB-09

SCALE 1" = 500'

PROJ. NO.

DWG. NO.

REV. 08-21612

V-100

PROPOSED CAMPUS EXPANSION
ROUTE 9, BIDEFORD, MAINE

VERNAL POOL
IMPACT PLAN

University Of New England
11 Hills Beach Rd
Biddeford, ME 04005

3504

52-7445/2112

SEPTEMBER 21, 2009

PAY TO THE
ORDER OF TREASURER STATE OF MAINE

\$ 272,895.00***

TWO HUNDRED SEVENTY-TWO THOUSAND EIGHT HUNDRED NINETY-FIVE DOLLARS AND 00/100 DOLLARS

TD BANKNORTH
299 Elm Street
Biddeford, ME 04005

Timothy G. Kinne

W. L. Trufat
ILF

FOR

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